

DECLARATION FOR UNITED STATES PATENT APPLICATION

As a below named inventor, I (we) hereby declare that:

My residence, post office address and citizenship are the same as stated below next to my name.

I (we) believe I am (we are) an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARBON MONOXIDE

the specification of which (check one)

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

☐ was filed as PCT International application No. _____ on _____
and was amended on _____ (if applicable).

I (we) hereby state that I (we) have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I (we) acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I (we) hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Filing Date (mm/dd/yyyy)	Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I (we) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>Number</u>	<u>Filing Date (mm/dd/yyyy)</u>
<u>60/127,616</u>	<u>April 1, 1999</u>

I (we) hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Serial No.</u>	<u>Filing Date (d/m/y)</u>	<u>Status (Patented, Pending, Abandoned)</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

I (we) hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Henry D. Coleman, Reg. No. 32,559; R. Neil Sudol, Reg. No. 31,669;

both of

COLEMAN SUDOL, LLP
708 Third Avenue, Fourteenth Floor
New York, New York 10017-4101

Direct all telephone calls to: R.Neil Sudol/Henry D. Coleman at Telephone No. **(212) 679-0090**

Address all correspondence to: R.Neil Sudol/Henry D. Coleman at

**COLEMAN SUDOL, LLP
708 Third Avenue, Fourteenth Floor
New York, NY 10017-4101
United States of America**

I (we) hereby declare that all statements made herein of my (our) own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Augustine M. Choi
Residence: 2 Pole Bridge Lane
Guilford, CT 06437
Post Office Address: Same as above.
Country of Citizenship: United States of America

3/30/00

Date



Inventor's Signature

Full name of second inventor: Patty J. Lee
Residence: 83 Greenbrier Drive
Guilford, CT 06437
Post Office Address: Same as above.
Country of Citizenship: United States of America

Patty J. Lee 3/30/00

Date



Inventor's Signature

Full name of theird inventor:

Otterbein E. Leo

Residence:

93 Mather street
Hamden, CT 06517

Post Office Address:

Same as above

Country of Citizenship:

United States

3/30/00

Date

Leo Otterbein

Inventor's Signature

20050330 14:00

Attorney's Docket No.: 13681-003001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Augustine M. K. Choi *et al.* Art Unit : 1619
Serial No. : 09/538,788 Examiner : F. Choi
Filed : March 30, 2000
Title : CARBON MONOXIDE AS A BIOMARKER AND THERAPEUTIC AGENT

Commissioner for Patents
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b), YALE UNIVERSITY certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the parent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011169, Frame 0792, on October 12, 2000.

The undersigned, whose title is supplied below, is empowered to act on behalf of the Assignee and hereby revokes all powers of attorney previously granted in the patent. The undersigned instead appoints: Janis K. Fraser, Registration No. 34,819, Louis Myers, Registration No. 35,965, John W. Freeman, Registration No. 29,066, J. Peter Fasse, Registration No. 32,983, Timothy A. French, Registration No. 30,175, and Azina L. Meiklejohn, Registration No. 35,283, at Fish & Richardson P.C., 225 Franklin Street, Boston, Massachusetts 02110-2804; and John F. Hayden, Registration No. 37,640 and Ralph A. Mittelberger, Registration No. 33,195, at Fish & Richardson P.C., 601 Thirteenth Street, NW, Washington, D.C., 20005, with full power of substitution and revocation, to prosecute the patent and to transact all business in the United States Patent and Trademark Office connected therewith.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.3(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

JANUARY 15, 2002
Date of Deposit

Kathleen Philpot
Signature

KATHLEEN PHILPOT
Typed or Printed Name of Person Signing Certificate

01/10/2002 18:35 FAX

Applicant : Augustine M. K. Choi et al.
Serial No. : 09/535,783
Filed : March 30, 2000
Page : 2

Attorney's Docket No.: 13681-003001

All correspondence regarding the patent should be sent to JANIS K. FRASER at:

FISH & RICHARDSON P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent or any patents issued thereon.

Respectfully submitted,

Date: 1/14/02

Dorothy K. Robinson
Dorothy K. Robinson

Title: Vice President and General Counsel

20359604.doc